



Oregon

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Department of Transportation

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May 18, 2006

VIA ELECTRONIC POSTING

Re: Comments on Docket No. FTA-2006-24037

Submitted to Federal Transit Administration on May 22, 2006

The State of Oregon appreciates the opportunity to comment on this important legislation. We look forward to successfully implementing SAFETEA-LU and the increased transportation services this funding will provide.

In response to the Federal Register of March 15, 2006, Elderly Individuals and Individuals With Disabilities, Job Access and Reverse Commute, New Freedom Programs and Coordinated Public Transit-Human Services Transportation Plans: Notice of Public Meeting, Interim Guidance for FY06 Implementation, and Proposed Strategies for FY07, find our comments attached.

Please contact me if you require further information or if the Oregon Department of Transportation (ODOT) can be of further assistance in this matter.

Sincerely,

Martin W. Loring, Administrator
ODOT Public Transit Division
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Comments on Docket No. FTA-2006-24037

1. Public Transit/Human Service Coordinated Plans

The anticipated cost to develop and maintain these plans is more than the State of Oregon receives in administration funds from New Freedom, Job Access Reverse Commute (JARC) and Section 5310 under SAFETEA-LU. We recommend that the Federal Transit Administration (FTA) allow planning as a program activity.

ODOT also recommends that the coordinated plan not require prioritization of a project list. The plan should identify gaps and prioritize needs. Without significant investment of time, expertise, and funding, it is unlikely that a community planning effort focused on interagency and consumer consultation will include sufficient expertise in the area of service design. The specifics of service design do not belong in a plan such as this. However, ODOT supports the inclusion of prioritized needs and potential strategies for service delivery. The plan should set goals and standards that minimize service duplication and encourage opportunities to leverage funds.

ODOT endorses the FTA proposal to allow inclusion of existing planning with the new SAFETEA-LU planning requirements. But, in order to coordinate these planning requirements, the designation of "local" and "lead agency" may have already been defined in state law. We recommend that the FTA allow pre-determined designation of "local" and "lead agency" to have standing for the coordinated plans, where states have existing planning requirements. The FTA should recognize that the importance of the coordinated plan is the collaboration and consultation, and not the creation of an additional administrative structure.

Participation from Partner Agencies and Organizations

Human service agencies are not required, as a condition of funding, to comply with SAFETEA-LU requirements. ODOT is concerned that without this requirement Human Service agencies will bring "need" to the table without bringing resources to fill that need. Of course, a well-considered transportation program will consider the input of the users and other stakeholders. The dynamic tension between the transit agencies who deliver services is often at odds with those who want or need more and better service. Please recognize that bringing people together to identify needs may not result in practical cost-efficient strategies. We concur with the FTA statement that 5307 and 5311 agencies should be participants in the coordinated plan. At least in Oregon, a primary source of community transportation is provided by the urban and rural general

public providers. Additional services funded by the new programs should augment existing services, not duplicate or replace.

Designated Recipient

Section III Coordinated Plan paragraph, which states that the "designated recipients to conduct coordinated planning activities and consultation with planning partners," implies that the designated recipients are responsible for the planning process. This statement appears to conflict with the requirement in section IV A that plans be locally developed by a lead agency, selected in consultation with local partners. ODOT recommends consistently using the latter provision.

MPOs

ODOT appreciates the FTA proposal's flexibility with respect to relationship among the coordinated planning requirements, the MPO planning requirements, and statewide planning processes.

Public involvement for Metropolitan Transportation Improvement Programs (MTIPs) and Statewide Transportation Improvement Programs (STIPs) is not the same as for the coordinated plan. The one purpose of the coordinated plan is to inform the identification and selection of projects for funding. The MTIP and STIP are lists of the projects that have been identified for funding, and the public involvement is specific to those projects not necessarily the underlying plans from each local area. The coordinated plan should have been done before the projects are listed in the MTIP and STIP.

ODOT agrees that MPOs and States should coordinate schedules, agendas, and strategies of the coordinated planning process. However, we recommend that the FTA leave the determination of the required update cycle of the coordinated plan to the designated recipients.

ODOT suggests that the certification of project inclusion within the coordinated plan should be considered within the annual certification and assurance process. States should regulate compliance.

FTA 5311(f) Intercity program is frequently managed by a statewide service delivery plan. Local communities may identify a need like commuter services between distant

cities. However, filling that need may not be within the community's control or eligible for Section 5311(f). The information regarding a need or service gap should be communicated to the State for possible inclusion in the service development plan.

ODOT endorses FTA's guidance regarding the competitive selection process in urbanized areas. Designated Recipients must conduct a process that is simple, straightforward, and transparent.

ODOT endorses FTA's proposal to require the designated recipient to define a fair and equitable selection process that minimizes conflict of interest concerns.

Mobility Management

We recommend that the FTA include travel training (in its various forms) as an eligible activity under mobility management.

New Freedom

ODOT requests that FTA provide examples of eligible activities "beyond the ADA" associated with general public demand responsive services.

The focus of New Freedom should be increasing mobility for people with disabilities. Sometimes this means services targeted to a special needs group. Sometimes it means elimination of a barrier or providing some help to enable more people with disabilities to make effective use of fixed route service. Both approaches are needed, and cost effectiveness must play a role in service design.